

Adelman & Gettleman, Ltd.

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FACSIMILE TRANSMISSION COVER SHEET

Name:	Mrs. Cama, Deputy Clerk to Honorable Charles L. Brieant, United States District Court, Southern District of New York	Fax:	914-390-4085
CC:	Jonathan Bardavid, Esq, counsel to plaintiff	Fax:	212-490-4208
Re:	Case No. 08 CV 1257 (CLB) David R. Kittay v. Brian Farley, et al. Motion to Withdraw The Reference and To Transfer Venue filed 2/7/08 ("Motion")		
Sender:	Brad A. Berish, Esq.		
Date:	March 19, 2008		

Notes: Per your request, this fax will confirm that the parties to the above matter are close to reaching a settlement. Per your request, you have asked that I file a written status report by May 2, 2008. If, however, the matter is settled before then, then I will contact you to arrange to withdraw the above Motion. If the settlement does not occur, however, then I will contact you to set the Motion for hearing.

Finally, I enclose again my 2/26/08 letter, and pro hac vice application and related documents that were filed on February 11th, for entry of the enclosed Pro Hac Vice order.

Please call if questions.

YOU SHOULD RECEIVE 11 PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL **Debbie** AT 312-435-1050.

CONFIDENTIAL NOTE

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February 26, 2008



VIA OVERNIGHT MAIL

Honorable Charles L. Brieant
Judge, United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150
Attn: Mrs. Alice Cama, Deputy

Re: In Re: Douglas E. Palermo ***
David R. Kittay, Trustee v. Brian Farley, et al.,
Civil Case No. 08 CV 1257 (CLB)

Dear Mrs. Cama:

I represent the defendants in the above matter. As per our conversation yesterday, I write about the following:

1. I had filed my pro hac vice application in the above matter on February 11th, however, no order has been entered yet. For your convenience, I enclose a copy of the docket evidencing payment of the appropriate fee, and a copy of the file-stamped pro hac vice application. Also, enclosed is the draft Order.
2. Per your request, enclosed for your records is (a) a copy of the Motion To Withdraw The Reference and To Transfer Venue that was filed in this case on February 7, 2008 (the "**Motion**") and (b) the Defendant's Rule 7.1 Statement that was filed on February 7th.
3. Lastly, as we discussed, we have reached agreement with the Plaintiff on general terms of a tentative settlement of this matter, including the Motion, but that resolution is contingent on reaching agreement on a written settlement agreement and then, if successful, presenting that agreement to the Bankruptcy Court for approval. As discussed, in light of this development, I do not want to set a hearing on the Motion yet. As per your request, I will contact you by March 7th as to the status of the settlement.

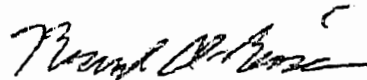
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Attn: Mrs. Alice Cama, Deputy
February 8, 2008
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If you have any questions, please do not hesitate to contact me.

Sincerely,



Brad A. Berish

BAB/db
Enclosures
cc: Jonathan Bardavid, Esq. (w/o encs.)

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